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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARRIN LEAF,

Plaintiff,

v

Case No. 1:03 CV 0226
Hon. Robert Holmes Bell

SHERIFF STEPHEN DeBOER, individually
and in his official capacity, and BARRY
COUNTY,

Defendants.

Katherine Smith Kennedy
Pinsky, Smith, Fayette & Hulswit
146 Monroe Center St. NW #1515
Grand Rapids, MI 49503
(616) 451-8496

Patrick A. Aseltyne (P23293)
Johnson, Rosati, LaBarge,
Aseltyne & Field, P.C.
Attorney for Defendants
303 S. Waverly Road
Lansing, MI 48917
(517)886-3800

AFFIDAVIT OF DEBBIE S. SMITH

I, Debbie S. Smith, being duly sworn depose and state as follows:

1. That if sworn as a witness, I could competently testify to the facts set forth in this Affidavit.
2. That I hold the position of the Barry County Clerk and, among my duties, I am in charge of overseeing and maintaining the time and payroll records for all Barry County employees, including those who work at the Sheriff's Department.
3. That these records are kept in the ordinary course of business of the Barry County employer.

4. That I have reviewed the records maintained on employee Darrin Leaf, the Plaintiff in this lawsuit, and find that in the listed calendar years he earned the designated amounts in gross overtime pay from the County:

! 1999 – \$290.70

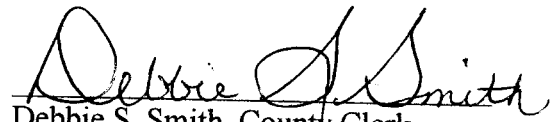
! 2000 – \$145.35

! 2001 – \$458.21

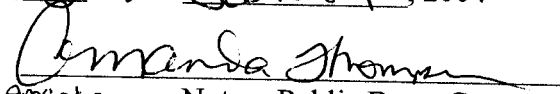
! 2002 – \$337.32

! 2003 – \$1,651.47

FURTHER AFFIANT SAYS NOT.


Debbie S. Smith, County Clerk

Subscribed and sworn to before
me by Debbie S. Smith on this
23rd day of January, 2004


Amanda Thompson Notary Public Barry County
My Commission Expires: 02-26-06